

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 CHIOKE GADSDEN,

Case No. 3:17-cv-00728-MMD-CBC

5 Plaintiff,

ORDER

6 v.

7 JAMES DONNELLY et al.,

8 Defendants.
9

10 This is an action on a civil rights complaint pursuant to 42 U.S.C. § 1983, removed
11 from state court. The Court entered a screening order on October 2, 2018. (ECF No. 9).
12 A follow-up order imposed a 90-day stay and the Court entered a subsequent order in
13 which the parties were assigned to mediation by a court-appointed mediator. (ECF Nos.
14 10, 12). The Office of the Attorney General has filed a status report indicating that
15 settlement has not been reached and informing the Court of its intent to proceed with this
16 action. (ECF No. 16).

17 **IT IS THEREFORE ORDERED that:**

18 1. The Clerk of the Court shall electronically **SERVE** a copy of this order and
19 a copy of Plaintiff's complaint (ECF No. 1-2) on the Office of the Attorney General of the
20 State of Nevada, by adding the Attorney General of the State of Nevada to the docket
21 sheet. This does not indicate acceptance of service.

22 2. Service must be perfected within ninety (90) days from the date of this order
23 pursuant to Fed. R. Civ. P. 4(m)

24 3. Subject to the findings of the screening order and follow-up order (ECF Nos.
25 9, 10), within **twenty-one (21) days** of the date of entry of this order, the Attorney
26 General's Office shall file a notice advising the Court and Plaintiff of: (a) the names of the
27 defendants for whom it accepts service; (b) the names of the defendants for whom it does
28 not accept service, and (c) the names of the defendants for whom it is filing the last-

1 known-address information under seal. As to any of the named defendants for whom the
2 Attorney General's Office cannot accept service, the Office shall file, *under seal*, but shall
3 not serve the inmate Plaintiff the last known address(es) of those defendant(s) for whom
4 it has such information. If the last known address of the defendant(s) is a post office box,
5 the Attorney General's Office shall attempt to obtain and provide the last known physical
6 address(es).

7 4. If service cannot be accepted for any of the named defendant(s), Plaintiff
8 shall file a motion identifying the unserved defendant(s), requesting issuance of a
9 summons, and specifying a full name and address for the defendant(s). For the
10 defendant(s) as to which the Attorney General has not provided last-known-address
11 information, Plaintiff shall provide the full name and address for the defendant(s).

12 5. If the Attorney General accepts service of process for any named
13 defendant(s), such defendant(s) shall file and serve an answer or other response to the
14 complaint within **sixty (60) days** from the date of this order.

15 6. Henceforth, Plaintiff shall serve upon defendant(s) or, if an appearance has
16 been entered by counsel, upon their attorney(s), a copy of every pleading, motion or other
17 document submitted for consideration by the Court. Plaintiff shall include with the original
18 document submitted for filing a certificate stating the date that a true and correct copy of
19 the document was mailed or electronically filed to the defendants or counsel for the
20 defendants. If counsel has entered a notice of appearance, Plaintiff shall direct service
21 to the individual attorney named in the notice of appearance, at the physical or electronic
22 address stated therein. The Court may disregard any document received by a district
23 judge or magistrate judge which has not been filed with the Clerk of the Court, and any
24 document received by a district judge, magistrate judge, or the Clerk of the Court which
25 fails to include a certificate showing proper service.

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United States Magistrate Judge